Probate Efiling FAQ

1. **How does efiling work?**

   Electronic filing of court documents occurs through an electronic filing service provider (EFSP). The user creates an account and the efiling system manages the flow of the documents and fees to and from the court. The filer will submit the documents, the court will accept or reject the documents, and the documents are returned to the filer through the electronic filing portal.

2. **I am an attorney; do I have to efile?**
   For Probate cases, attorneys are required to electronically file. Exceptions to efiling include:

   - *Peremptory challenges or challenges for cause of a judicial officer*
   - *Testamentary instruments (wills and codicils), letters, original trust documents, bond/undertaking documents*
   - *Trial and hearing exhibits*
   - *Documents filed in civil cases that are related for handling in the probate division*
   - *Lodged documents*
   - *Pace forms for Appointment or Reimbursement*

3. **I am a self-represented litigant; do I have to efile?**
   Self-represented litigants are not mandated to electronically file documents; however, they may choose to do so if desired.

4. **How do I submit documents exempt from efiling?**
   Documents that are exempt from efiling can be submitted for filing in the Clerk's Office of the Probate Division between the office hours of 8:30a.m. and 4:30p.m or by mail.

5. **How do I get started?**
   The Court's website offers additional information, including a list of EFSPs, to help you get started.

6. **Is efiling the same as fax filing?**
   No, electronic filing is not the same as fax filing. For efiling, the filing party must use an electronic filing service provider (EFSP) and will submit their documents for filing over the internet. The Probate Division does not accept fax filing from attorneys mandated to efile.

7. **Can I use my personal computer to efile?**
   Yes, you can submit filings through an electronic filing service provider (EFSP). You will be using the internet to select the EFSP and submit your documents for filing. You will upload the document as an attachment. For instructions, refer to your EFSP's website.

8. **What Electronic Filing Service Provider (EFSP) can I use?**
   You may choose to utilize any EFSP that is listed on the court's website.

9. **Why do I have to register as an electronic filer?**

   Registration as an electronic filer is required to establish an account for your electronically filed documents. Your account will allow you to check the status of your electronically filed documents and will provide a path for the court to return your documents to you. Once you select an electronic filing service provider (EFSP), you do not need to re-register for any other EFSP you may choose to use. You will be able to use your existing username and password for any EFSP. You may choose the EFSP that best meets your needs. Once you register with one EFSP you can use the same username and password for all EFSP's. You only have to register once and may use any EFSP thereafter.

10. **Can I change the electronic service provider after I have chosen and registered with one?**
Yes, you may choose any electronic service provider and may change provider. It is similar to using an "attorney service" for your filings, except the types of filings processed are electronic.

11. **Do I have to use an electronic filing service provider?**
Yes, the court does not accept electronic filings directly. An electronic filing service provider (EFSP) must be used. You can find a list of approved service providers on the court's public website, www.lacourt.ca.gov

12. **Is there a cost to efile?**
Yes, there is a cost to efile. The efile fee and the payment service fee are not costs charged by the court and are collected by the electronic filing service provider (EFSP). The court charges $2.25 per envelope, regardless of number of documents in the envelope.

13. **Are efiling convenience fees recoverable?**
Refer to Code of Civil Procedure section 1033.5.

14. **What type of payments do you accept?**
Please check with the electronic filing service provider (EFSP) of your choosing for specific information regarding payment types. Credit cards and electronic checks are accepted. The Court does not accept American Express credit card payments at this time.

15. **Do court appointed attorneys have to efile and pay the convenience fee for electronic filing?**
Yes, absent a fee waiver fees are applicable for all filings, including filings from court appointed attorneys.

16. **Once I electronically file a document, what is the typical turnaround time for processing?**
Turnaround time will depend on type of document filed; however, typically an electronically filed document will be processed by the court within 24 hours. Proposed orders, writs, abstracts, and other documents requiring further action by the court will not take 24 hours to process.

17. **Are my electronically filed documents printed for the court file?**
No, documents that are electronically filed and accepted by the court are automatically uploaded to the court's case management system. This allows the court staff and judicial officers to electronically view the case documents without printing the document or maintaining a physical court file. The electronic record is the official court record pursuant to Government Code 68150(a).

18. **What are the filing hours for efiling?**
You may submit your filings electronically 24 hours a day. Any filings received up to 11:59 p.m. will be deemed received or filed on the same business day; any filings submitted after midnight will be deemed received or filed the next business day.

19. **Are documents available to the public upon submission, or upon processing?**
A filing party may view documents submitted immediately through their electronic filing service provider's (EFSP) portal. All other parties will be able to view a document upon acceptance on public terminals located at any Los Angeles County courthouse. A document is not considered filed until it is accepted by the court.

20. **What date will my document be "Filed" if I efile after 5:00 p.m.?**
The court will honor the filing date through 11:59 p.m. the day a document is electronically submitted, except if a document is rejected.

21. Does the court have a policy regarding documents filed on the last day?
No, statutory requirements apply for preservation of any statute of limitation on filings, including those submitted electronically. The court does not have a policy on last day to file a document. Efiling does not change last day to file requirements, other than to extend filing hours to 11:59 p.m.

22. What is a transaction?
A transaction is the filing of a document, or group of documents, in one single submission through the electronic filing system.

23. What is an "envelope"?
An envelope contains a document or group of documents for a single file code for a single case number, or a group of documents for multiple filing codes, that will be processed in one transaction for one single case number.

24. What is "bookmarking" of exhibits?
Bookmarking of exhibits indicates the process in which the navigational tool in a PDF document tags a designated point of interest within the document, allowing the reader to easily locate and navigate to that specific point of interest.

25. How will I know what Judicial Officer my Petition is assigned to?
A new filing receives the assigned case number, a hearing date and judicial assignment upon acceptance of the filing. This information will be stamped on the top of the first page of the document.

26. What happens if I select the wrong court location?
Your electronically filed document will be rejected and returned to you through the Efiling system for correction and resubmission with the proper filing location indicated.

27. What are typical return reasons?
Typical reasons that your filing would be rejected by the court are as follows:

- *Multiple filing documents are submitted as a single filing code (for example, the cover sheet should be a separate pdf)*
- *Incorrect filing code is selected*
- *Incorrect court location selected*
- *Incorrect case type selected*
- *Incorrect payment account option selected (i.e., fee waiver)*
- *Party's name does not match the party's name listed on the document for initial documents*
- *Party's address does match the party's address listed on the document for initial documents*
- *Missing required documents*

28. How do I efile an Initial Petition with an original Will?
Efile the initiating document along with applicable fees. Submit the Original Will on the same day of the electronic submission in person or by mail.

29. Will new petitions be scheduled for hearing within a specific time period?
Yes, new petitions will be scheduled by the system as follows (add up to 4 days for weekends and holidays):

Accounting - Trust (Initial)	70 days
Petition - Acct or Order in Crt Created Trust (Initial)	70 days
Petition - Advance Healthcare Directive (Initial)	70 days
Petition - Appoint a Temporary Conservator	7 days
Petition - Appoint Conservator Estate Nom/Ap (Initial)	70 days
Petition - Appoint Ltd Conservator of Person/P&E (Initial)	70 days
Petition - Appoint Successor Custodian/CUTMA (Initial)	70 days
Petition - Authority	70 days
Petition - Authority to Give Medical Consent w/o Consrvtrshp (Initial)	70 days
Petition - Authority to Revoke a Power of Attorney	70 days
Petition - Determine Ownership (850 Probate Code)	70 days
Petition - Establish Fact of Birth (initial)	7 days
Petition - Establish Fact of Death (initial)	7 days
Petition - Establish Fact of Marriage (initial)	7 days
Petition - Probate of Lost Will (Initial)	30 days
Petition - Transaction Where Spouse Lacks Capacity (Initial)	70 days
Petition - Tuberculosis Matter	70 days
Petition for Appointment of Conservator - Person & Estate (Initial)	70 days
Petition for Appointment of Conservator of the Estate (Initial)	70 days
Petition for Appointment of Conservator of the Person (Initial)	70 days
Petition for Appointment of Guardian of Minor-Person & Estate (Initial)	70 days
Petition for Appointment of Guardian of the Estate (Initial)	70 days

Petition for Appointment of Guardian of the Person (Initial)	70 days
Petition for Appointment of Temporary Guardian	7 days
Petition for Confirmation of Sale of Real Property	30 days
Petition for Letters of Administration (Initial)	30 days
Petition for Probate of Will (Initial)	30 days
Petition for Removal	70 days
Petition for Special Immigrant Juvenile Findings	70 days
Petition for Spousal/Domestic Partnership Property (Initial)	70 days
Petition to Approve Compromise of Claim (Initial)	70 days
Petition to Determine Succession of Real Property (Initial)	70 days

Knowing this timeframe should help the submitting party manage their calendar. Attorneys continue to have the flexibility to stipulate to a continuance, or contact the examiner once appointed to request date considerations. Another aspect to consider is designated Trial day of the assigned department; auto-scheduled events will not be set on a designated Trial day. Currently, Trial days are as follows:

- SMC Dept. 2D – Thursdays
- SMC Dept. 4 – Wednesdays
- SMC Dept. 5 – Mondays
- SMC Dept. 9 – Tuesdays
- SMC Dept. 11 – Wednesdays
- SMC Dept. 29 – Mondays
- SMC Dept. 44 – Wednesdays
- SMC Dept. 62 – Wednesdays
- SMC Dept. 67 – Tuesdays
- SMC Dept. 79 – Mondays
- SMC Dept. 99 – Wednesdays
- AV – Fridays

30. Are motions automatically scheduled by the efiling system?

No, motions continue to require that a date be reserved by contacting the assigned courtroom for the next available date. The system will only schedule Petitions in accordance with the timeframes as set forth above.

31. What if I can't attend the hearing date provided?

Attorneys may stipulate to a continuance, request a date consideration from examiner once appointed, or submit a request for continuance from the court.

Only Petitions are automatically scheduled, Motions continue to require a reservation from the courtroom based on availability.

32. **How do I communicate a date change needed because I already have another Petition on calendar for the same case?**
Attorneys may stipulate to a continuance, or submit a request for continuance from the court. The filer must verify they are using a "waiver" payment account when submitting the envelope to avoid assessment of fees.

33. **Can I submit an Initial Petition with a Fee Waiver Application?**
Yes, the initiating document and fee waiver application will be processed together.

34. **Will a Notice of Case Assignment be generated when I efile a new petition?**
*No, a Notice of Case Assignment will not be needed; the new case number and Judicial Officer assignment information will be provided on the face page of the filed Petition***.**

35. **How do I designate my ex parte as a "Drop Off Ex Parte"?**
Add the words "drop off ex parte" to the caption of your document if your request is not intended as a request for appearance and next day handling by a judicial officer.

36. **How will I be notified when my proposed order is signed?**
Once a proposed order is reviewed and signed by a judicial officer, the filed order will be returned to the efiler via an attachment a link to an email using the email address provided by the Electronic Filing Service Provider (EFSP). The link to the order or rejection expires within 14 days. You will not find rejection notices as part of the court record. Orders that are not entered are not viewable from the Attorney Portal or Public Terminals.

37. **Can I ask to send a confirmation email to another party / person?**
Yes, the system will allow the option to send a confirmation email to another email address other than what is indicated in your registered account. The confirmation email is not considered electronic service of the document.

38. **Can the court electronically serve (eserve) other parties for me?**
No, at this time the court will not electronically serve other parties on behalf of another party. Contact your EFSP for options.

39. **Can I use an electronic filing service provider to electronically serve other parties?**
Yes, electronic filing service providers (EFSP's) offer this service for a fee. Refer to the specific electronic filing service provider's website to determine which service best fits your business need.

40. **What are rules or guidelines for electronic service?**
Refer to California Rules of Court, Rule 2.251 and Civil Code of Procedure section 1010.6.

41. **If I file electronically, have I consented to electronic service on this case?**
Yes, refer to California Rules of Court, Rule 2.251(b)(1)(B). By efiling the document, you agree to accept electronic service at the electronic service address you provided. Self-represented parties must affirmatively consent to acceptance of electronic service.

42. **Where can I find more information about the services offered by the EFSPs?**
Information about services offered by individual EFSPs can be found on their direct website. A list of EFSPs can be found on the court's website or on the Odyssey efileCA website.

43. How can I designate my document as an Ex Parte filing?

The following document selections will be expedited as ex parte filings:

Ex Parte - Application Nunc Pro Tunc Order
Ex Parte - Petition to Appoint Temporary Conservator
Ex Parte - Petition to Appoint Temporary Guardian
Ex Parte - Request for Certified Copy of Safekeeping Will
Ex Parte Application
Ex Parte Application for Order Shortening Time
Ex Parte Opposition
Ex Parte Opposition (Fee- First Document)
Ex Parte Order
Ex Parte Petition
Ex Parte Petition for Final Discharge
Ex Parte Petition for Withdraw of Funds From Blocked Accounts

44. What is the cut-off time for efiling my ex parte documents?

- *Ex parte applications must be filed no later than 10:00 a.m.the day before the hearing.*
- *Opposition to ex parte efiled by 4:00 p.m. does not require a courtesy copy*
- *Opposition to ex parte efiled after 4:00 p.m. requires that a courtesy copy be brought on the day of the ex parte.*
- *The proposed order shall be included as a separate document in the same envelope as the ex parte application and brought to court the morning of the Ex Parte.*

45. I efiled my ex parte documents; do I have to appear?

An applicant for ex parte order will be advised if they are required to appear.

46. Does it matter what DPI (dots per inch) is used when scanning a document?

Yes, the Trial Court Records Manual recommends 300 DPI resolution. DPI refers to the output resolution of the scanner when a document is scanned. The DPI only factors in if you are scanning and attaching a document. If you start your document in a word processing application and convert it to pdf, text searchable format will be preserved.

47. Do I need to scan a document that includes an original signature?

Retention of original signed documents shall be pursuant to California Rules of Court, Rule 2.257 and Code of Civil Procedure, section 1010.6. For documents efiled with court, the filing party may use /s/ followed by the name of the individual on the signature line of a document.

48. **Should a document be password protected?**
No, documents should not be password protected and will be rejected if the content cannot be viewed.

49. **Can Judicial Council forms be efiled?**
Yes, Judicial Council forms are fillable and can be uploaded for efiling. The fillable document must be saved as a pdf file prior to submission.

50. **Will the court accept a scanned pdf when third party legal software is used to complete forms?**
Yes, forms completed using third party software can be efiled as an uploaded pdf. When it is reasonable to submit a document that is text searchable, you should.

51. **Can I electronically file a Confidential Document?**
The filer may not establish a document's security level. The document security level is established by the court.

52. **In what format should I submit my proposed order?**
Submit your proposed order in PDF version. Only orders after hearing may be submitted, except for ex parte proposed orders.

53. **How will I receive a copy of my proposed order?**
Upon review and acceptance by the clerk, you will receive a "received" stamped proposed order. Once a proposed order is processed, the Court sends an email that contains a link to the signed order or to the rejection notice for the proposed order. The link to the order or rejection expires within 14 days.

54. **Can I scan documents that accompany a proposed order?**
Yes, attachments to a proposed order may be scanned for concurrent review with a proposed order. Each document to be "Filed" as part of the court record shall be efiled as a separate document within the same envelope.

55. **How do I obtain a certified copy?**
Certified copies may be requested from the court's records unit by mail or in person. If submitted by mail, include a pre-paid method of return, such as a stamped, self- addressed stamped envelope. In the future, the court will be certifying documents electronically. The Government Code allows all of the institutions, including banks, to accept electronically certified documents from the court.

56. **How will Letters be processed?**
Letters will be processed electronically, in person, or by mail.

57. **How do I submit a Safekeeping Will?**
Do not electronically file; submit in person or by mail.

58. **Will the Judge see original documents that are not efiled, such as a Will?**
Judicial Officers will continue to consider all documents regardless of method of submission.

59. **How do I pay for the delivery of a Will on a case wherein the estate of a decedent may be administered? (Prob. Code 8200)**
Pursuant to GC 70626(d), the $50 fee can be paid at the time the copy of the Will is filed. The $50.00 fee is not assessed for Wills submitted for an existing case. When the original Will is submitted to the Court, include confirmation of the efiled Petition to prevent the fee assessment.